



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
NAZARE, et al.

Examiner:

Art Unit: 1713

Application No.: **10/848,743**

Filed: **05/19/2004**

Title: **Indole Derivatives as Factor Xa
Inhibitors**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on Date of Deposit January 12, 2005
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INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. 1.56, 1.97 AND 1.98

Commissioner for Patents
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Applicants submit herewith patents, publications, and other information of which they are aware, which they believe may be material, as defined in 37 C.F.R. 1.56(b), to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. 1.56(a). While the information referred to in this Information Disclosure Statement may be material pursuant to 37 C.F.R. 1.56(b), the filing of this Information Disclosure Statement is not intended to, pursuant to 37 C.F.R. 1.97(h), constitute an admission that any patent, publication or other information referred to is, or is considered to be, material to the patentability of this invention. Pursuant to 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information exists.

- ☒ (a) This Information Disclosure Statement is filed within the period set forth in §1.97(b) because it accompanies the new patent application submitted herewith, is filed within three months of the filing date of a national application or within three months of the date of entry of the national stage as set forth in §1.491 in an international application, or is believed to be filed before the mailing date of a first Office Action on the merits, whichever event occurs last. However, in the event that the first office action has been mailed, the Commissioner is authorized to charge any fees under 37 C.F.R. 1.17(p) or credit any overpayment to Account No. **18-1982**.

- ☐ (b) This Information Disclosure Statement is filed after the period set forth in 37 C.F.R. 1.97(b), but is believed to be filed before the mailing date of a final action under §1.113 or a notice of allowance under §1.311, whichever occurs first.
- ☐ (1) The undersigned attorney certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement;
- ☐ (2) The undersigned attorney certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned attorney after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this statement; or
- ☐ (3) This Information Disclosure Statement is accompanied by a transmittal letter in which payment of the fee set forth in §1.17(p) and required by 37 C.F.R. 1.97(c) is authorized.

A concise explanation of the relevance of some or all of the items listed on the attached PTO-1449 (modified) is as follows:

The items listed on pages 1 –7 of the attached PTO-1449 have been previously submitted to the Patent Office or cited by the Examiners during the prosecution of the following patents or patent applications commonly owned by the assignees of record of the present case:
U.S. Patent Application Nos. 10/849,089.

Therefore, a copy of the reference is not enclosed with this Information Disclosure Statement. However, the applicant will furnish a copy of any listed reference, if so requested by the Examiner.

The items listed on pages 8 and 9 of the attached PTO-1449 are a new submission. A copy of each reference therein is enclosed.

For the listed Japanese patent publication (09087282), we only reviewed the English abstract, which is enclosed herewith.

Respectfully submitted,



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Aventis Docket No. DEAV2003/0035US NP

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OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		ADANG Anton E P et al., A New Generation of Orally Active Antithrombotics: Comparing Strategies in the GPIIb/IIIa, Thrombin and Factor Xa Areas, Drugs of the Future 2000; Vol. 25(4); pgs. 369-383	
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		LINDWALL H G et al., Synthesis and Reactions of Indole Carboxylic Acids; Pyridindolones from Indole-2-Carboxyacetylbenzylamides, J. Org. Chem., 1953, Vol. 18, pgs. 345-357	
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				Filing Date	05-19-2004
				First Named Inventor	NAZARÉ
				Group Art Unit	1713
				Examiner Name	
Sheet	8	of	9	Attorney Docket Number	DEAV2003/0035 - US - NP

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